



General Assembly

January Session, 2007

Raised Bill No. 1172

LCO No. 4317

* ____SB01172GL____022707____*

Referred to Committee on General Law

Introduced by:
(GL)

***AN ACT CONCERNING WHOLESALE BEER PRICE POSTING AND
MODIFYING BEER PACKAGING FOR CONSUMPTION ON AND OFF
PREMISES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 30-63 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) No holder of any manufacturer, wholesaler or out-of-state
4 shipper's permit shall ship, transport or deliver within this state, or sell
5 or offer for sale, any alcoholic liquors unless the name of the brand,
6 trade name or other distinctive characteristic by which such alcoholic
7 liquors are bought and sold, the name and address of the manufacturer
8 thereof and the name and address of each wholesaler permittee who is
9 authorized by the manufacturer or his authorized representative to sell
10 such alcoholic liquors are registered with the Department of Consumer
11 Protection and until such brand, trade name or other distinctive
12 characteristic has been approved by the department. Such registration
13 shall be valid for a period of three years. The fee for such registration,
14 or renewal thereof, shall be one hundred dollars for out-of-state
15 shippers and three dollars for Connecticut manufacturers for each
16 brand so registered, payable by the manufacturer or such

17 manufacturer's authorized representative when such liquors are
 18 manufactured in the United States and by the importer or such
 19 importer's authorized representative when such liquors are imported
 20 into the United States. The department shall not approve the brand
 21 registration of any fortified wine, as defined in section 12-433, which is
 22 labeled, packaged or canned so as to appear to be a wine or liquor
 23 cooler, as defined in section 12-433.

24 (b) No manufacturer, wholesaler or out-of-state shipper permittee
 25 shall discriminate in any manner in price discounts between one
 26 permittee and another on sales or purchases of alcoholic liquors
 27 bearing the same brand or trade name and of like age, size and quality,
 28 nor shall such manufacturer, wholesaler or out-of-state shipper
 29 permittee allow in any form any discount, rebate, free goods,
 30 allowance or other inducement for the purpose of making sales or
 31 purchases. Nothing in this subsection shall be construed to prohibit
 32 beer manufacturers, beer wholesalers or beer out-of-state shipper
 33 permittees from differentiating in the manner in which their products
 34 are packaged on the basis of on-site or off-site consumption.

35 (c) For alcoholic liquor other than beer, each manufacturer,
 36 wholesaler and out-of-state shipper permittee shall post with the
 37 department, on a monthly basis, the bottle, can and case price of any
 38 brand of goods offered for sale in Connecticut, which price when so
 39 posted shall be the controlling price for such manufacturer, wholesaler
 40 or out-of-state permittee for the month following such posting. On and
 41 after July 1, 2005, for beer, each manufacturer, wholesaler and out-of-
 42 state shipper permittee shall post with the department, on a monthly
 43 basis, the bottle, can and case price, and the price per keg or barrel or
 44 fractional unit thereof for any brand of goods offered for sale in
 45 Connecticut which price when so posted shall be the controlling price
 46 for such brand of goods offered for sale in this state for the month
 47 following such posting. Such manufacturer, wholesaler and out-of-
 48 state shipper permittee may also post additional prices for such bottle,
 49 can, case, keg or barrel or fractional unit thereof for a specified portion

50 of the following month which prices when so posted shall be the
 51 controlling prices for such bottle, can, case, keg or barrel or fractional
 52 unit thereof for such specified portion of the following month. Notice
 53 of all manufacturer, wholesaler and out-of-state shipper permittee
 54 prices shall be given to permittee purchasers by direct mail, Internet
 55 web site or advertising in a trade publication having circulation among
 56 the retail permittees except a wholesaler permittee may give such
 57 notice by hand delivery. Price postings with the department setting
 58 forth wholesale prices to retailers shall be available for inspection
 59 during regular business hours at the offices of the department by
 60 manufacturers and wholesalers until three o'clock p.m. of the first
 61 business day after the last day for posting prices. A manufacturer or
 62 wholesaler may amend such manufacturer's or wholesaler's posted
 63 price for any month to meet a lower price posted by another
 64 manufacturer or wholesaler with respect to alcoholic liquor bearing the
 65 same brand or trade name and of like age, vintage, quality and unit
 66 container size; provided that any such amended price posting shall be
 67 filed before three o'clock p.m. of the fourth business day after the last
 68 day for posting prices; and provided further such amended posting
 69 shall not set forth prices lower than those being met. Any
 70 manufacturer or wholesaler posting an amended price shall, at the
 71 time of posting, identify in writing the specific posting being met. On
 72 and after July 1, 2005, all wholesaler postings, other than for beer, for
 73 the following month shall be provided to retail permittees not later
 74 than the twenty-seventh day of the month prior to such posting. All
 75 wholesaler postings for beer shall be provided to retail permittees not
 76 later than the twentieth day of the month prior to such posting.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	30-63
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GL *Joint Favorable*